

June 8, 2004

Mr. H. B. Barron, Executive Vice President  
Nuclear Generation  
Duke Energy Corporation  
526 South Church Street  
P.O. Box 1006  
Charlotte, NC 28201-1006

SUBJECT: DEFERRAL OF REVIEW OF LICENSING ACTION FOR DUKE ENERGY  
CORPORATION

Dear Mr. Barron:

The purpose of this letter is to inform you that review of your request dated June 17, 2003, to use an alternative to the requirements of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section XI, for Metal and Concrete Containments (Duke Energy Corporation Serial Number 03-GO-010) is being deferred until the beginning of fiscal year 2005 that starts October 1, 2004. This request involves Catawba Nuclear Station, Units 1 and 2, McGuire Nuclear Station, Units 1 and 2, and Oconee Nuclear Station, Units 1, 2 and 3. The Nuclear Regulatory Commission is deferring review of this action to support the review of security plan, safeguard contingency, and security personnel training and qualification plan changes, required by an April 29, 2003, Commission Order. I have discussed the deferral of this action with Mr. Gill of your staff.

Please have a member of your staff inform me if circumstances change with regard to the impact on your ability to safely operate your facilities as a result of the deferral of this action. I can be contacted at 301-415-1419.

Sincerely,

**/RA/**

Leonard N. Olshan, Sr. Project Manager,  
Section 1, Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-413, 50-414, 50-369, 50-370, 50-269, 50-270 & 50-287

cc: See next page

June 8, 2004

Mr. H. B. Barron, Executive Vice President  
Nuclear Generation  
Duke Energy Corporation  
526 South Church Street  
P.O. Box 1006  
Charlotte, NC 28201-1006

SUBJECT: DEFERRAL OF REVIEW OF LICENSING ACTION FOR DUKE ENERGY  
CORPORATION

Dear Mr. Barron:

The purpose of this letter is to inform you that review of your request dated June 17, 2003, to use an alternative to the requirements of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section XI, for Metal and Concrete Containments (Duke Energy Corporation Serial Number 03-GO-010) is being deferred until the beginning of fiscal year 2005 that starts October 1, 2004. This request involves Catawba Nuclear Station, Units 1 and 2, McGuire Nuclear Station, Units 1 and 2, and Oconee Nuclear Station, Units 1, 2 and 3. The Nuclear Regulatory Commission is deferring review of this action to support the review of security plan, safeguard contingency, and security personnel training and qualification plan changes, required by an April 29, 2003, Commission Order. I have discussed the deferral of this action with Mr. Gill of your staff.

Please have a member of your staff inform me if circumstances change with regard to the impact on your ability to safely operate your facilities as a result of the deferral of this action. I can be contacted at 301-415-1419.

Sincerely,

/RA/

Leonard N. Olshan, Sr. Project Manager,  
Section 1, Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-413, 50-414, 50-369, 50-370, 50-269, 50-270 & 50-287

cc: See next page

DISTRIBUTION:

PUBLIC	PDII-1 R/F	RidsNrrDlpmLpdii-1 (SCoffin)
RidsNrrPMLOlshan	DClarke	RidsOgcRp
RidsAcrsAcnwMailCenter	RidsRgn2MailCenter	RidsNrrPMJShea
RidsNrrPMSPeters		

ADAMS Accession Number: ML041610289

NRR-106

OFFICE	PDII-1/PM	PDII-1/LA	PDII-1/SC
NAME	LOlshan	DClarke	SCoffin
DATE	6/7/04	6/8/04	6/8/04

OFFICIAL RECORD COPY

McGuire Nuclear Station  
Catawba Nuclear Station  
Oconee Nuclear Station

cc:

Ms. Lisa F. Vaughn  
Duke Energy Corporation  
422 South Church Street  
Mail Code - PB05E  
Post Office Box 1244  
Charlotte, North Carolina 28201-1244

County Manager of Mecklenburg County  
720 East Fourth Street  
Charlotte, North Carolina 28202

Mr. C. Jeffrey Thomas, Manager  
Regulatory Compliance  
McGuire Nuclear Station  
Duke Energy Corporation  
12700 Hagers Ferry Road  
Huntersville, North Carolina 28078

Anne Cottingham, Esquire  
Winston and Strawn  
1400 L Street, NW.  
Washington, DC 20005

Senior Resident Inspector  
U. S. Nuclear Regulatory Commission  
12700 Hagers Ferry Road  
Huntersville, North Carolina 28078

Mr. Peter R. Harden, IV, Vice President  
Customer Relations and Sales  
Westinghouse Electric Company  
6000 Fairview Road, 12th Floor  
Charlotte, North Carolina 28210

Dr. John M. Barry  
Mecklenburg County  
Department of Environmental  
Protection  
700 N. Tryon Street  
Charlotte, North Carolina 28202

Mr. Richard M. Fry, Director  
Division of Radiation Protection  
NC Dept. of Env., Health, and Nat.  
Resources  
3825 Barrett Drive  
Raleigh, North Carolina 27609-7721

Ms. Karen E. Long, Asst. Attorney General  
North Carolina Department of Justice  
Post Office Box 629  
Raleigh, North Carolina 27602

Mr. R. L. Gill, Jr., Manager  
Nuclear Regulatory Issues and Industry  
Affairs  
Duke Energy Corporation  
526 South Church Street - Mail Stop EC05P  
Charlotte, North Carolina 28202

NCEM REP Program Manager  
4713 Mail Service Center  
Raleigh, North Carolina 27699-4713

Mr. T. Richard Puryear  
Owners Group (NCEMC)  
Catawba Nuclear Station  
Duke Energy Corporation  
4800 Concord Road  
York, South Carolina 29745

Mr. Lee Keller, Manager  
Regulatory Compliance  
Catawba Nuclear Station  
Duke Energy Corporation  
4800 Concord Road  
York, South Carolina 29745

North Carolina Municipal Power Agency  
Number 1  
1427 Meadowwood Boulevard  
P. O. Box 29513  
Raleigh, North Carolina 27626-0513

McGuire Nuclear Station  
Catawba Nuclear Station  
Oconee Nuclear Station

cc:

County Manager of York County  
York County Courthouse  
York, South Carolina 29745

Piedmont Municipal Power Agency  
121 Village Drive  
Greer, South Carolina 29651

Saluda River Electric  
Post Office Box 929  
Laurens, South Carolina 29360

Henry Porter, Assistant Director - DWM  
Bureau of Solid and Hazardous Waste  
Dept. of Health & Env. Control  
2600 Bull Street  
Columbia, South Carolina 29201-1708

NC Electric Membership Corporation  
Post Office Box 27306  
Raleigh, North Carolina 27611

Senior Resident Inspector  
U. S. Nuclear Regulatory Commission  
4830 Concord Road  
York, South Carolina 29745

Manager, LIS  
NUS Corporation  
2650 McCormick Drive, 3rd Floor  
Clearwater, Florida 34619-1035

Senior Resident Inspector  
U. S. Nuclear Regulatory Commission  
7812B Rochester Highway  
Seneca, South Carolina 29672

Mr. Michael A. Schoppman  
Framatome ANP  
1911 North Ft. Myer Drive  
Suite 705  
Rosslyn, Virginia 22209

Mr. B. G. Davenport, Manager  
Regulatory Compliance  
Oconee Nuclear Site  
Duke Energy Corporation  
7800 Rochester Highway  
Seneca, South Carolina 29672

Mr. Dhiaa Jamil  
Vice President  
Catawba Nuclear Station  
Duke Energy Corporation  
4800 Concord Road  
York, South Carolina 29745

Mr. G. R. Peterson, Vice President  
McGuire Nuclear Station  
Duke Energy Corporation  
2700 Hagers Ferry Road  
Huntersville, North Carolina 28078

Mr. Ronald A. Jones, Vice President  
Oconee Nuclear Station  
Duke Energy Corporation  
7800 Rochester Highway  
Seneca, South Carolina 29672

Ms. Mary Olson  
Director of the Southeast Office  
Nuclear Information and Resource Service  
729 Haywood Road, 1-A  
Post Office Box 7586  
Asheville, North Carolina 28802

Henry Barron  
Group Vice President, Nuclear Generation  
and Chief Nuclear Officer  
P. O. Box 1006-EC07H  
Charlotte, NC 28201-1006